

JUNCTION OF PACIFIC AND ATLANTIC.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A letter, with documents, from the Secretary of State, relative to the formation of a junction between the Atlantic and Pacific oceans.

JANUARY 23, 1844.

Read, and laid upon the table.

To the House of Representatives :

In compliance with your resolution of the 15th of December, 1843, requesting "such information as may be on file in any of the departments relative to the formation of a junction between the Atlantic and Pacific oceans," I transmit herewith a letter from the Secretary of State, with accompanying documents, in relation thereto.

JOHN TYLER.

WASHINGTON, January 19, 1844.

DEPARTMENT OF STATE,
Washington, January 4, 1844.

SIR: The Secretary of State, to whom was referred the resolution of the House of Representatives of the 15th of last month, requesting the President to cause to be furnished to that House such information as might be on file in any of the departments relative to the formation of a junction between the Atlantic and Pacific oceans, has the honor to lay before the President a copy and extracts from all such papers in this department, relating to the resolution, as have not been communicated to the House of Representatives.

Respectfully submitted :

A. P. UPSHUR.

To the PRESIDENT OF THE UNITED STATES.

Mr. Semple to Mr. Forsyth.

LEGATION OF THE UNITED STATES,
Bogota, April 15, 1839.

SIR: I have received your letter of the 12th of October last, (No. 6,) which shall be attended to. I send herewith a copy of the report of the Secretary of State, made to Congress on the 2d March, but which was not printed and handed to me until the 23d of the same month. By reference to the head "Great Britain," you will see that the Secretary says: "The chargé d'affaires of Great Britain has very earnestly solicited the co-operation of the Granadian Government for the establishment of two lines of packets, (one of which has been undertaken by an association under the patronage of the British Government,) the principal object of which is to facilitate rapidly and securely the correspondence between the principal ports on the Pacific, and in connexion with those which are to come from England to Chagres twice a month, to receive the correspondence of the Pacific." The co-operation which is requested on the part of New Granada, is, the passage from one to the other sea, through the isthmus of Panama.

The Executive, convinced of the universal benefits of this great undertaking, has offered to contribute to its execution; but, as it is not within his constitutional power to accede to a condition which is said to be indispensable for the realization of the project, he submits the matter to the consideration of Congress, requesting them, under such conditions as shall be most convenient to New Granada, to grant the privilege of franking the communications official between the Government of Great Britain and their agents, which may pass by the isthmus.

I soon after endeavored to ascertain the precise extent to which this project was intended to be carried. I found that in Congress the matter had been taken up, and referred to a select committee, who had not reported. I met Mr. Adams, the British chargé d'affaires, in the porch of Congress Hall, and, in the course of a friendly conversation, I asked him what was the object of his application to the Granadian Government, which I observed in the report of the Secretary of State? He said it was as there stated—to give the privilege of sending freely, through the isthmus, the British communications, &c. I asked if it was intended to be an exclusive privilege? He said, in terms it would not; but that it would be so in effect. Fearing that the Granadian Government might, probably, (without intending it,) grant some privilege that might be very prejudicial to the trade and correspondence of our merchants in the Pacific, I addressed a note to the Secretary of State, a copy of which I enclose. On the 12th I received an answer, a copy and translation of which I enclose.

I am aware that a supposed official interference by my predecessor, in favor of Mr. Biddle's project at Panama, was not approved at Washington; for the reason, as I suppose, that the Government of the United States did not wish to make itself responsible, even by recommendation, for the execution of any contract to construct a road or canal. You will perceive that I do not recommend any scheme. The simple fact of a company being formed is announced, as I received it from Mr. Radcliff, of New York. It is impossible for me to ascertain the designs which the British Government may have in reference to this matter; and as it was impossible for me to hear from you during the sitting of Congress, I considered

that my letter, pending the progress of the bill, would not have other than a satisfactory effect. I cannot, therefore, perceive that my course could be such an official interference as was disapproved in my predecessor.

I have the honor to be, your most obedient servant,

JAMES SEMPLE.

HON. JOHN FORSYTH,

Secretary of State, Washington city.

Mr. Semple to Mr. Herran.

LEGATION OF THE UNITED STATES,

Bogota, April 8, 1839.

SIR: I perceive, by the report which your excellency communicated to Congress on the 2d of March ultimo, that the chargé d'affaires of Great Britain has made a proposition to the Government of New Granada to establish a line of packets to run from England to Chagres, and thence to communicate by land with those which may be run along the coast of the Pacific ocean—probably as far as Callao—asking the co operation of the Government of New Granada, and some privileges, which it appears it is not in the power of the Executive to grant; and the whole subject is, therefore, referred to Congress for its consideration. I do not understand the precise extent of the privileges asked; but, as the project appears to be favorably considered by the President of the republic, I cannot for a moment presume that it is intended to grant any *exclusive* privilege whatever to the British Government.

I must confess, however, that I am somewhat at a loss to understand why the proposition is made in the terms in which it appears to me. Both seas are open for all nations freely to navigate, either with steam-vessels or others; and the ports of Panama and Chagres are, by the laws of New Granada, alike open for all nations to enter and depart from, with their agents, correspondents, and cargoes, on payment of the duties now, or which may hereafter be, established by the laws of New Granada. The passage through the isthmus must, from its very nature, as long as New Granada exists as a sovereign State, be forever subject to whatever laws she may make, unless she should voluntarily surrender her sovereignty to a foreign power.

The object of this communication is not, by any means, to object to any privilege which may be granted relative to the passage of public agents of Great Britain, or their correspondence, through the isthmus of Panama, provided that the same privileges are at the same time extended to the United States. But, should it be in contemplation to grant any *exclusive* privilege to the Government of Great Britain to pass the isthmus for any purpose whatever, or which may be hereafter construed by that Government into an exclusive privilege, your excellency will in a moment perceive that it might have a very injurious effect on our trade and correspondence with the ports on the Pacific, and your excellency must admit that it could not be looked on by the Government of the United States with an agreeable countenance.

I think this a proper occasion to inform your excellency that I have very lately received a letter from a highly respectable and influential

gentleman in New York, informing me that there is now being formed in that city an association of wealthy and enterprising citizens, with the object of establishing a regular line of steam-packets between New York and Callao, to pass through the isthmus of Panama, with the permission, and under the regulations of the laws of New Granada; and they may, possibly, in a short time, send an agent here, to ascertain the terms of passing the isthmus. This fact will satisfy your excellency that, while the ports of New Granada and the passage of the isthmus are alike free to all nations, the trade of the Pacific will, in like manner, equally attract the attention of all. Should their line of packets be established, it will be of very great importance that the Government of the United States should have the same privilege of transmitting communications as any other nation.

I have the honor to be, your excellency's obedient servant,

JAMES SEMPLE.

To his Excellency P. A. HERRAN,
Secretary of State.

—
Mr. Herran to Mr. Semple.

[TRANSLATION.]

REPUBLIC OF NEW GRANADA,
Office of Secretary of State, Bogota, April 12, 1839.

The Secretary of State, in the discharge of interior and foreign relations of New Granada, has informed the President of the republic of the contents of the official note of the Hon. James Semple, chargé d'affaires of the United States, dated 8th instant, in which he shows the injurious effects that might result to the commerce and correspondence of the nation he represents, if any exclusive privilege is conceded to the British Government, with respect to the isthmus of Panama; and at the same time giving information of the advices he has lately received, that an association of citizens of New York have in view a project of establishing a line of steam-packets between that city and the port of Callao, which is to pass by the isthmus of Panama.

The Government of the undersigned, it is true, has proposed to co-operate, as far as his powers may extend, and consistent with the rights and interests of New Granada, in the enterprise of establishing a maritime mail through the Pacific, in connexion with one through the Atlantic, which has been undertaken by an English association, under the patronage of the British Government; but Mr. Semple may rest secure that, if this project is carried into effect on the terms conceded by the Granadian Government, it will be far from injuring the commerce or correspondence of the United States, or of any other country. It will be of universal advantage to all nations, who, in such case, would enjoy the same advantages as at present they have in the transit by the isthmus of Panama.

The President has heard, with much satisfaction, the information which the Hon. James Semple, chargé d'affaires of the United States, has given, that there is an association of citizens of New York forming to establish another line of packets between New York and Callao, to pass by the isthmus of Panama. They may rely on the Government of New Granada giving every protection which such an undertaking deserves; and the

undersigned, with much pleasure, will hear, and transmit to his Government, the propositions which, with this object, may be made.

The undersigned renews to the Hon. James Semple the distinguished consideration with which he has the honor to be his obedient servant,

P. A. HERRAN.

Hon. JAMES SEMPLE,

Chargé d'Affaires of the U. S.

Extract of a letter from Mr. Radcliff to Mr. Semple.

NEW YORK, January 22, 1839.

SIR: In behalf of an association forming in this city for an object of public importance both to this country and to New Granada, as well as to the persons composing it, I beg leave, as one of them, to address you, for the purpose of soliciting your aid in favor of our views, so far as you may approve them, and be able to second and promote them, either in your official or private capacity; and I hope that my application will not be deemed presumptuous.

The object referred to is that of establishing a regular, frequent, and rapid communication between New York and Callao, (the port of Lima,) and some intermediate ports, by means of steam-ships or vessels to be employed on each side of the continent, in connexion with each other, starting periodically from each end of the line, (say the 1st and 10th of every month,) meeting and exchanging passengers and freight over land at the isthmus of Panama; stopping on each voyage at certain intermediate points, to land and receive passengers and freight, particularly at Carthagena and Kingston on this side, and at Buenaventura, Guayaquil, and Payta, on the other side of the continent.

To carry this plan into execution, we want, of course, the privilege of crossing the isthmus with passengers and freights on the most favorable terms that can be obtained.

By recent intelligence from England, it appears that a company is formed, or forming there, to carry on steam navigation along the west coast of South America, between Valparaiso and Panama, and intermediate ports, with an expectation that others will undertake it from Chagres to Kingston, and thence to England; thus intending to cut off the United States from ever participating in the benefits of such a communication with the west side of America. It is, however, not to be doubted, that if we of this city were only to establish a steam communication from this city to Chagres, the result would be, that the greatest portion of passengers or freights coming or going over the isthmus would pass this port.

I am, with high respect, your obedient servant,

WILLIAM RADCLIFF.

Hon. JAMES SEMPLE.

Extract of a letter from Mr. Murphy, special agent of the United States to Central America, to Mr. Webster, dated February 4, 1842.

If such is the case, (and I see no reason to doubt it,) does it not present a proper occasion for the United States, by a treaty with those States, to se-

cure to themselves a share in the great enterprise of uniting the Atlantic and Pacific oceans by a navigable canal or railroad through the State of Nicaragua? That this enterprise will one day or other be undertaken and accomplished, there can be no doubt. And the nation or people having the greatest share in it, and control over it, will, and must, inevitably, reap advantages, exclusive of all other nations or people, incalculable in extent and duration. Looking to our possessions on the Pacific and the Columbia river, in connexion with such a work, how vast are the consequences that obtrude resistless upon the mind!

Mr. Fletcher Webster to Mr. Blackford.

[EXTRACT.]

DEPARTMENT OF STATE,
Washington, May 20, 1842.

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The projects of facilitating the communication between the Atlantic and Pacific oceans, by means of a canal or railroad across the isthmus of Panama, are connected with that topic. The States of Panama and Veragua, which comprise the isthmus, were for some time separated from the other States of New Granada, and in the course of last year applied to this Government to be acknowledged as an independent power, with the title of the State of the Isthmus. The application, though not granted, was respectfully received and considered, and a special agent on the part of this Government was about to proceed to that quarter for the purpose of inquiring into the ability of the people of the isthmus to maintain their independence, when intelligence arrived that Panama and Veragua had reunited themselves to New Granada. A treaty of commerce with this republic, placing our citizens on a footing of equality with other foreigners within its confines, might serve to prevent a grant by the New Granadian Government to any other foreign Government, company, or individuals, of a special privilege in regard to the communication above referred to; or, if such privileges should be accorded, might give us a right to claim the same, or indemnification if it should be refused. It is of great importance to the United States that the railroad or canal, referred to, should be constructed; and that we should have the free use of it, upon the same terms as the citizens or subjects of other commercial nations. You will, consequently, be diligent in your inquiries in relation to this matter.

Mr. Blackford to Mr. Uphur.

[EXTRACT.]

LEGATION OF THE UNITED STATES,
Bogota, October 20, 1843.

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I have received a copy of a communication lately addressed to yourself direct, by this Government, on the subject of a communication across the

isthmus of Panama. I send you herewith a transcript of the same, together with copies of the notes which passed between the Secretary of Foreign Relations and myself on the occasion.

Aware of the importance of this question, and of the lively interest felt in it by our Government, I waited upon the Secretary to ascertain, if possible, the present views of the cabinet at Bogota. He promptly informed me he had no objection to submit the instructions lately given to the chargé d'affaires of New Granada at London, and all the correspondence on the subject. As I could not, of course, ask for copies, it was arranged that his chief clerk should be empowered to read to me the instructions and correspondence from the books of the office. I was in hopes I could by this mail give you such information as I could thus gather; but the chief clerk has been so much occupied, as not yet to find time to devote to me. I hope, in a few days, to be able to apprise you of the views of this Government.

Mr. Acosta to Mr. Blackford.

[TRANSLATION.]

OFFICE OF FOREIGN RELATIONS,

Bogota, October 9, 1843.

Accompanying this note, the Hon. William M. Blackford, chargé d'affaires of the United States, will find an authenticated copy of a communication which the Government of the undersigned was pleased to direct, on the 30th of September last, to the Secretary of State of the cabinet of Washington, and of which his excellency the President has thought it proper the Hon. Mr. Blackford should be informed.

The undersigned avails himself of this opportunity to reiterate to the chargé d'affaires of the United States the assurances of his consideration and respect.

JOAQUIN ACOSTA.

HON. WM. M. BLACKFORD,
&c., &c., &c.

Translation of a note from the Minister of Foreign Affairs of New Granada.

REPUBLIC OF NEW GRANADA,

Department of Foreign Relations, Bogota, September 30, 1843.

The Government of New Granada, desiring to afford to the commerce of nations the advantages which would result from a communication between the Atlantic and the Pacific, across the isthmus of Panama, has resolved to invite the Governments of the principal maritime nations to conclude a treaty, with the object of carrying this great undertaking into execution; as well that the Governments should take upon themselves the execution of the work, as that they should guaranty the neutrality of the communication between the seas, and the fulfilment of the condi-

tions stipulated for its execution. Full powers have been, in consequence, given to Señor Manuel Maria Mosquera, chargé d'affaires of the republic near the Government of her Britannic Majesty, to treat with the plenipotentiaries who may be appointed to that effect.

As the Government of the United States is one of those which the Government of New Granada desires to see participate in the treaty in question, I have received orders from my Government to place him in communication with you, sir, in order that if the Government of the United States should judge proper to join its efforts for the consummation of the important work of opening the communication between the two oceans, it may authorize some person to take part in the negotiation proposed.

I avail myself of this opportunity to represent to you, sir, the assurances of the high consideration and distinguished respect with which I have the honor to subscribe myself your most obedient and attentive servant,

MARIANO OSPINA.

HON. SECRETARY OF STATE of the United States.

Mr. Blackford to Mr. Acosta.

LEGATION OF THE UNITED STATES,
Bogota, October 14, 1843.

The undersigned, chargé d'affaires of the United States, has had the honor to receive the note which, under date of the 9th instant, the Hon. Colonel Acosta, Secretary of Foreign Relations, addressed to him, transmitting a copy of a communication on the subject of a connexion between the Atlantic and Pacific oceans, which the Government of New Granada has forwarded to the Secretary of State of the United States.

The subject of a communication across the isthmus is one in which the Government of the undersigned has ever felt a lively interest; and he doubts not prompt attention will be given to the note of the honorable Secretary of Foreign Relations, a copy of which the undersigned will also transmit to Washington.

The undersigned renews, &c.,

WM. M. BLACKFORD.

To Colonel JOAQUIN ACOSTA,
&c., &c., &c.

Mr. Blackford to Mr. Upshur.

[EXTRACT.]

LEGATION OF THE UNITED STATES,
Bogota, November 3, 1843.

SIR: In my despatch of the 20th ultimo, I had the honor to state that the Secretary of Foreign Relations promised to apprise me of the main points of the instructions given to Mr. Mosquera, the Granadian chargé d'affaires at London, touching the construction of a canal across the isthmus of Panama, in which enterprise the co-operation of the Government of the United States was solicited.

In fulfilment of this promise, his chief clerk waited upon me, a few days since, with an abstract of the instructions, made by direction of the Secretary, of which I have the honor to transmit a translation. The grant made to Baron Thierry, or the Franco-Granadian Company, was, a few weeks since, surrendered to the Government.

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[TRANSLATION.]

Abstract of instructions given by the Granadian Government to Mr. Mosquera, their chargé d'affaires at London, on the subject of the Panama canal.

Mr. Mosquera is authorized—1st. To conclude a treaty with the Governments of Great Britain, France, the United States, Holland, and Spain, or with one or more of them, in order that the said Governments may charge themselves with the enterprise of opening a canal of large dimensions across the isthmus of Panama, reserving to New Granada the jurisdiction over the line of communication which may be constructed, and a certain per centage of the produce of the tolls, until the cost of the canal is reimbursed; after which, the whole of the tolls.

2d. To conclude a treaty on the same terms, whenever a private company wishes to undertake the enterprise; in which case, the stipulations of the treaty must be limited to those Governments which will guaranty the neutrality of the canal, and of the ports on either ocean at its *termini*, as well as the sovereignty of New Granada over the canal and its territory, and the fulfilment of the conditions upon which the privilege is granted to a private company.

He has also been instructed that no invitations for proposals shall be made, until one or the other of the two kinds of treaty specified is effected.

The bases of the treaties once sanctioned, the rest of the instructions relate to details—as, for example, that each one of the contracting Governments shall name an individual, to form a commission, which, residing on the isthmus, shall take charge of the general conduct of the work.

The Government of New Granada will give, as its contribution to the enterprise, the woods, quarries, and mines of mineral coal, as well as the public lands which may be required, to the extent of 300,000 acres; these lands not only to be applicable to the construction of said canal, but may be distributed among immigrants who may wish to settle there, in quantities not exceeding 200 acres to one family.

The commencement of the enterprise must be made within two years from the date of whatever treaty is concluded. The troops necessary to protect those points (which will be few in number, as the canal is to be neutral) must be Granadian, but paid by the contractors. All persons employed on the canal whilst it is constructing, or when finished, will, of course, be subject to the laws of New Granada, but can be exempted from military service and from forced loans.

The fundamental principle is the equality of all nations who may participate in the enterprise in either of the ways above indicated.

The rest of the clauses relate to the giving more security to the collection of tolls which may be imposed, and to the sovereignty of New Granada in those territories.

